**Section 501.270 Commission Referee Tests**

a) Subject to the provisions of subsection (b), a customer may not request a referee test of a meter used to measure the customer's gas consumption if the utility that provides service to the customer does not have the necessary testing equipment.

b) If a customer requests a referee test of the meter used to measure the customer's gas consumption, but the utility's testing facility is located out of state, the utility shall provide the option of having the meter tested at an in-state testing facility, provided the alternative location is in good standing with the Commission and the location is capable of testing the meter. A meter shop is in good standing if a Commission representative has conducted a review of the facility for compliance with the requirements of this Part within the last 40 months and the meter shop has no outstanding non-compliance issues associated with its ability to accurately measure meter accuracy. A Commission representative shall advise, upon request of a utility, if a meter shop is in good standing.

c) A utility shall conduct a referee test of a meter within 45 days after receiving notice from a Commission representative of a customer's request if the meter testing facility that the utility uses to conduct the test is located in-state. The utility shall conduct the meter test between 7 a.m. and 4 p.m. Monday through Friday, excluding holidays, at a date and time agreed upon by the utility, the customer and the Commission representative, unless the utility, the customer and the Commission representative agree to a different day or time.

d) A utility shall conduct a referee test of a meter within 90 days after receiving notice from a Commission representative of a customer's request if the meter testing facility that the utility uses to conduct the test is located out of state and the customer requesting the referee test selects the out-of-state location, unless the customer agrees to a later time. The utility shall conduct the meter test between 7 a.m. and 4 p.m. Monday through Friday, excluding holidays, at a date and time agreed upon by the utility, the customer and the Commission representative, unless the utility, the customer and the Commission representative agree to a different day or time.

e) Upon written application to the Commission by a customer and upon notice to a utility by a Commission representative, a utility under the oversight of a Commission representative shall conduct an accuracy test of a meter that was the subject of the written request, provided the customer has not requested a meter accuracy test under this Section or under Section 501.260 in the 12 months prior to the request. A customer shall make a written request for a meter test and pay a fee, as provided in this subsection, to the Commission. A utility shall inform the customer or a Commission representative, upon request, of the size and type of meter used to serve the customer. If the accuracy test indicates that the meter over-registers by more than 2.0%, the utility shall refund the fee to the customer.

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| SCHEDULE OF FEES | |
| Rated capacities in cubic feet per hour | Fee |
| Diaphragm meters up to 650 | $40 |
| Diaphragm meters from 651 to 1,500 | $80 |
| Diaphragm meters in excess of 1,500 | $120 |
| Rotary meters up to 1,500 | $40 |
| Rotary meters from 1,501 to 12,000 | $80 |
| Rotary meters from in excess of 12,000 | $120 |
| Turbine meter tested in utility shop at atmospheric pressure | $120 |
| Metering types not listed but tested in utility shop | $120 |

f) If a customer is required to pay the costs of a meter test under Section 501.260 because of the type or size of the meter, the customer must pay the utility the same costs under this Section, in addition to the fee to the Commission under subsection (e).

g) Upon notice of a referee test from a Commission representative, a utility shall not disturb the meter that was the subject of the written referee test request in any manner, unless a Commission representative or the customer provides authorization. The utility shall document the authorization by recording the name of the person giving the authorization and the date and time of the authorization. The utility shall provide this authorization documentation to the Commission representative at the time of the referee test.

h) When a utility removes a meter for purposes of a referee test, the utility or Commission representative shall deliver the meter to the utility's meter testing facility, and the utility shall secure the meter to prevent potential tampering or disturbance from in-service conditions until the referee test begins.

i) A utility shall waive the 12-month waiting period identified in subsection (e) for Commission referee tests if a customer makes one of the following demonstrations:

1) A deviation in the customer's measured gas usage in excess of 10% occurred following the utility's installation of a different meter on the customer's service and the difference is not attributable to weather or the customer's process changes; or

2) Relevant facts that point to potential accuracy problems with the meter.

j) If a utility removes a meter for testing but before the testing occurs is notified by the customer that the customer plans to request a referee test of the meter, the utility shall not test the meter and shall secure the meter to prevent potential tampering or disturbance from in-service conditions until the referee test begins. If, after 60 days from when the utility removed the meter for testing, the customer has not filed a request with the Commission for a referee test, the utility shall send a notice in writing to the customer informing it of the following:

1) The notice shall state that the customer has 30 days in which to complete the request for the Commission referee test.

2) If the customer fails to make its request within the 30 days, the utility, at its option, may conduct the required testing of the meter.

k) The utility is responsible for contacting the Commission to verify the status of the customer's request for a referee test prior to testing the meter.

(Source: Amended at 41 Ill. Reg. 351, effective December 29, 2016)